

## Natural Resources Conservation Service, USDA

## § 652.1

practicable alternative. Where appropriate, NRCS will require design modifications to minimize harm to or within the base flood plain. NRCS will provide appropriate public notice and public participation in the continuing planning process in accordance with NRCS NEPA process.

(vi) NRCS may require the local government to adopt and enforce appropriate flood plain regulations as a condition to receiving project financial assistance.

(3) *Actions on property and facilities under NRCS ownership or control.* For real property and facilities owned by or under the control of NRCS, the following actions will be taken:

(i) Locate new structures, facilities, etc., outside the base flood plain if there is a practicable alternate site.

(ii) Require public participation in decisions to construct structures, facilities, etc., in flood plains that might result in adverse effects and incompatible development in such areas if no practicable alternatives exist.

(iii) New construction or rehabilitation will be in accordance with the standards and criteria of the National Flood Insurance Program and will include floodproofing and other flood protection measures as appropriate.

[44 FR 44462, July 30, 1979]

### PART 651 [RESERVED]

## PART 652—TECHNICAL SERVICE PROVIDER ASSISTANCE

### Subpart A—General Provisions

Sec.

652.1 Applicability.

652.2 Definitions.

652.3 Administration.

652.4 Technical service standards.

652.5 Participant acquisition of technical services.

652.6 Department delivery of technical services.

652.7 Quality assurance.

### Subpart B—Certification

652.21 Certification criteria and requirements.

652.22 Certification process for individuals.

652.23 Certification process for private-sector entities.

652.24 Certification process for public agencies.

652.25 Alternative application process for individual certification.

652.26 Certification renewal.

### Subpart C—Decertification

652.31 Policy.

652.32 Causes for decertification.

652.33 Notice of proposed decertification.

652.34 Opportunity to contest decertification.

652.35 State Conservationist decision.

652.36 Appeal of decertification decision.

652.37 Period of decertification.

652.38 Scope of decertification.

652.39 Mitigating factors.

652.40 Effect of decertification.

652.41 Effect of filing deadlines.

652.42 Recertification.

AUTHORITY: 16 U.S.C. 3842.

SOURCE: 69 FR 69472, Nov. 29, 2004, unless otherwise noted.

### Subpart A—General Provisions

#### § 652.1 Applicability.

(a) The regulations in this part set forth the policies, procedures, and requirements related to delivery of technical assistance by individuals and entities other than the Department, hereinafter referred to as technical service providers. The Food Security Act of 1985, as amended, requires the Secretary to deliver technical assistance to eligible participants for implementation of its Title XII Programs and the conservation activities in the Agricultural Management Assistance Program, 7 U.S.C. 1524, directly, through an agreement with a third party provider, or, at the option of the producer, through payment to the producer for an approved third party provider. This regulation defines how a participant acquires technical service from a third party technical service provider, sets forth a certification and decertification process, and establishes a method to make payments for technical services.

(b) Technical service providers may provide technical services to eligible participants in conservation planning and in the planning, design, installation, and check-out of conservation practices applied on private land, Indian land, or where allowed by conservation program rules on public land